

Minutes of Item 25 of the  
Regular Meeting of the City Council  
City of Memphis

January 17, 2017

After the meeting was opened for the transaction of business and a quorum was declared present the Council considered the items on the agenda, including Items 25 to wit:

25. RESOLUTION seeking acceptance of a donation in the amount of \$372.50 from Fred's Morgan Super Dollar as awarded to the City of Memphis Police Department to support Police Chairman, Services' operational activities. This resolution is sponsored by Police Services. Public Safety &

Homeland  
Security  
Committee

ACTION REQUESTED: Adopt the resolution

**Fiscal Consent**

MOTION: Morgan

SECOND: Ford

AYES: Jones, Spinosa, Morgan, Ford, Boyd, Fullilove, Robinson, Colvett, Swearengen, Brown

ABSTAIN:

NAYS:

Recuse:

**APPROVED**

Whereupon Fullilove moved that the minutes for the foregoing item be approved on the date the matter was approved. Ford seconded the motion. The motion was called for a vote as follows:

AYES: Boyd, Brown, Colvett, Ford, Fullilove, Morgan, Robinson, Swearengen, Spinosa

RECUSED:

ABSTAIN:

NAYS:

**APPROVED**

Chairman: 

Date: 1/17/17

Attest:



Deputy Comptroller/Council Records

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**  
**January 17, 2017**

**3:30 P.M. SCHEDULED SESSION**

**3:38 P.M. MEETING COMMENCED**

**ROLL CALL:** Joe Brown, Frank Colvett, Jr., Edmund H. Ford, Jr., Janis Fullilove, Martavius Jones, Worth Morgan, Patrice Robinson, Philip Spinoso, Jr., Jamita Swearengen and Chairman Berlin Boyd. Kemp Conrad, Reid Hedgepeth and Bill Morrison were absent.

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Pastor Thomas Murray from Anointed Temple of Praise – ATOP. Councilwoman Robinson presented Pastor Murray with a certificate naming him Chaplain of the Day.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

**Approval of the Minutes of the regular meeting of January 3, 2017 with the following motion:**

**MOTION:** Ford  
**SECOND:** Robinson  
**AYES:** Brown, Colvett, Ford, Fullilove, Jones, Morgan, Robinson, Spinoso, Swearengen and Chairman Boyd  
Conrad, Hedgepeth and Morrison were absent

**APPROVED**

5. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED AT 2018 COURT AVENUE, NORTHEAST CORNER OF COURT AVENUE AND MORRISON STREET, CONTAINING 2.96 ACRES IN THE COMMERCIAL MIXED USE-3 (CMU-3) DISTRICT. THIS RESOLUTION IS SPONSORED BY THE OFFICE OF PLANNING AND DEVELOPMENT. (ON 12/6/16, THE PUBLIC HEARING DATE FOR THIS CASE WAS SET FOR 1/17/17).**

Case No. P.D. 16-16

Held until March 21, 2017

19. **ORDINANCE AMENDING CHAPTER 2, SECTION 2-291(A), RELATING TO THE SALE OF CITY PROPERTY, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5637 IS SPONSORED BY COUNCILMAN CONRAD.**

Held until February 7, 2017

1. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR DR. ORLESTER JOHNSON ON AUBURN ROAD BETWEEN EAST SHELBY DRIVE AND WHITEHAVEN LANE. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN ROBINSON AND COUNCILMAN FORD. (HELD FROM 1/3) \**

MOTION: Robinson

SECOND: Fullilove

**APPROVED**, unanimous voice vote

2. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE IN HONOR OF MR. HENRY EARL BASKINS, SR ON WEAVER RD. BETWEEN MITCHELL RD. AND LEVI RD. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN ROBINSON AND COUNCILMAN FORD.**

MOTION: Robinson

SECOND: Ford

**APPROVED**, unanimous voice vote

3. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR HATTIE TUGGLE ON PILLOW STREET BETWEEN EAST PERSON AVENUE AND SOUTH PARKWAY EAST. THIS RESOLUTION IS SPONSORED BY COUNCILMAN JONES.**

MOTION: Jones

SECOND: Swearengen

**APPROVED**, unanimous voice vote

4. **RESOLUTION HONORING MORGAN SYMONE GRANT, SICKLE CELL ANEMIA SURVIVOR. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN FULLILOVE.**

MOTION: Fullilove

SECOND: Morgan

**APPROVED**, unanimous voice vote

**CONSENT AGENDA – Item #6 may be acted upon by one motion: See Page 4002 for Roll Call Consent Item.**

6. **NOTATION FROM THE LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

- A. **Case No. P.D. 13-321 - KIRBY GATE BUSINESS CAMPUS, AREA C, 3<sup>rd</sup> AMENDMENT**

Public Hearing Set for February 7, 2017

**ROLL CALL CONSENT ITEM:**

MOTION: Ford

SECOND: Morgan

AYES: Brown, Colvett, Ford, Fullilove, Jones, Morgan, Robinson, Spinoso, Swearengen and Chairman Boyd  
Conrad, Hedgepeth and Morrison were absent

**APPROVED**

**MLGW FISCAL CONSENT AGENDA – Items 7 – 18 may be acted upon by one motion:**

7. **RESOLUTION AWARDED CONTRACT NO. 11936, ELECTRIC METER SOCKET REPLACEMENT, TO A-1 ELECTRICAL CONTRACTORS IN THE FUNDED AMOUNT, NOT-TO-EXCEED OF \$2,500,000.00, BASED ON AGREED UPON UNIT RATES.**

**APPROVED**

8. **RESOLUTION AWARDED TWENTY-FOUR MONTH CONTRACTS FOR ELECTRIC METER SOCKETS AND PEDESTALS TO MILBANK MANUFACTURING IN THE AMOUNT OF \$567,225.00 AND BRIGHTER DAYS AND NITES, INC. IN THE AMOUNT OF \$317,950.90.**

**APPROVED**

9. RESOLUTION AWARDING TWENTY-FOUR MONTH CONTRACTS FOR INSTRUMENT TRANSFORMERS TO BRIGHTER DAYS AND NITES INC. IN THE AMOUNT OF \$99,515.00, ANIXTER, INC. IN THE AMOUNT OF \$40,516.00, ARTECHE USA, INC. IN THE AMOUNT OF \$1,680.00 AND UNIVERSAL SCAFFOLD AND EQUIPMENT LLC IN THE AMOUNT OF \$3,498.00.

**APPROVED**

10. RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11729, PROFESSIONAL ENGINEERING SERVICES, WITH MID-SOUTH ENGINEERING CONSULTANTS, LLC, WITH APPROVED RATES, NOT-TO-EXCEED \$650,000.00. (THIS CHANGE IS TO RENEW THE CONTRACT FOR THE SECOND OF FOUR ANNUAL RENEWAL TERMS, WITH APPROVED RATES, NOT-TO-EXCEED \$650,000.00, FOR THE PERIOD COVERING JANUARY 23, 2017 THROUGH JANUARY 22, 2018.)

**APPROVED**

11. RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11747, ABANDONMENT OF WATER PRODUCTION WELLS, WITH LAYNE CHRISTENSEN COMPANY, IN THE FUNDED AMOUNT OF \$143,920.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FIRST OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING JANUARY 18, 2017 THROUGH JANUARY 17, 2018.)

**APPROVED**

12. RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11675, PROFESSIONAL ENGINEERING SERVICES FOR THE WATER ENGINEERING AND OPERATIONS DEPARTMENT, WITH SSR, WITH APPROVED RATES, NOT-TO-EXCEED \$400,000.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SECOND OF FOUR ANNUAL RENEWAL TERMS FOR THE PERIOD COVERING JANUARY 7, 2017 THROUGH JANUARY 6, 2018.)

**APPROVED**

13. RESOLUTION APPROVING THE RENEWAL OF COOPERATIVE AGREEMENT NO. 5447, INVESTIGATION OF WATER RESOURCES, FOR THE PERIOD OF JANUARY 1, 2017 TO SEPTEMBER 30, 2017, STIPULATING THAT A SUM OF \$57,000 WILL BE FURNISHED BY THE MLGW DIVISION AND A LIKE SUM WILL BE FURNISHED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR GEOLOGICAL

**SURVEY, FOR CONTINUATION OF THE GROUND WATER DATA COLLECTION PROGRAM IN THE MEMPHIS AREA.**

**APPROVED**

14. **RESOLUTION AWARDING A SIXTY MONTH PERIOD CONTRACT TO RICHARDS MANUFACTURING COMPANY, FOR THE PURCHASE OF NETWORK PROTECTORS, IN THE AMOUNT OF \$1,650,232.80.**

**APPROVED**

15. **RESOLUTION AWARDING A SIXTY MONTH CONTRACT TO WESCO DISTRIBUTION, FOR 600V CLASS POWER CABLE, IN THE AMOUNT OF \$1,176,643.00.**

**APPROVED**

16. **RESOLUTION AWARDING A CONTRACT TO THOMAS CONSULTANTS, INC., FOR NOVELL SOFTWARE MAINTENANCE, IN THE AMOUNT OF \$363,434.29.**

**APPROVED**

17. **RESOLUTION AWARDING CONTRACT NO. 11906, VIDEO PRODUCTION SERVICES FOR MEMPHIS ENERGIZED, TO BEHIND THE SCENES, IN THE FUNDED AMOUNT NOT-TO-EXCEED THE AMOUNT OF \$64,000.00.**

**APPROVED**

18. **RESOLUTION AWARDING A TWENTY-FOUR MONTH CONTRACT TO WINDOW BOOK, INCORPORATED, FOR SOFTWARE LICENSE RENEWAL, IN THE AMOUNT OF \$26,396.00.**

**APPROVED**

**MLGW ROLL CALL CONSENT ITEMS**

MOTION: Robinson  
SECOND: Colvett  
AYES: Brown, Colvett, Fullilove, Jones, Morgan, Robinson, Spinoso, Swearengen

and Chairman Boyd  
Ford did not cast a vote  
Conrad, Hedgepeth and Morrison were absent

**APPROVED**

25. **RESOLUTION SEEKING ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$372.50 FROM FRED'S SUPER DOLLAR AS AWARDED TO THE CITY OF MEMPHIS POLICE DEPARTMENT TO SUPPORT POLICE SERVICES' OPERATIONAL ACTIVITIES. THIS RESOLUTION IS SPONSORED BY POLICE SERVICES.**

MOTION: Morgan  
SECOND: Ford  
AYES: Brown, Colvett, Ford, Fullilove, Jones, Morgan, Robinson, Spinosa, Swearingen and Chairman Boyd  
Conrad, Hedgepeth and Morrison were absent

**APPROVED**

20. **RESOLUTION TO APPROPRIATE \$137,495.00 FOR FIRE STATION REPAIRS, FY17 FIRE STATION 10 REROOF AT 148 SOUTH PARKWAY WEST WITH THE LOWEST COMPLYING BID SUBMITTED BY A&B CONSTRUCTION CO., INC. FUNDING FOR THIS PROJECT WILL BE FROM CIP PROJECT NUMBER FS17102, WHICH IS PART OF THE FY17 CAPITAL IMPROVEMENT BUDGET FUNDED BY G.O. BONDS GENERAL. THIS RESOLUTION IS SPONSORED BY FIRE SERVICES.**

MOTION: Morgan  
SECOND: Spinosa  
AYES: Brown, Colvett, Ford, Fullilove, Jones, Morgan, Robinson, Spinosa, Swearingen and Chairman Boyd  
Conrad, Hedgepeth and Morrison were absent

**APPROVED**

21. **RESOLUTION URGING THE MLGW BOARD OF COMMISSIONERS TO TRANSITION ITS SHARE THE PENNIES PROGRAM FROM A CUSTOMER SELECT POSITION TO A CUSTOMER REMOVE POSITION. THIS RESOLUTION IS SPONSORED BY MEMPHIS LIGHT, GAS & WATER DIVISION.**

Chairman Boyd recognized the following people who spoke from the audience:

Charles Smithers, 8398 Rembrook Drive, Cordova, Tennessee, 38016  
Angela Garrone, 659 Dickinson Street, #102, Memphis, Tennessee, 38107  
A. J. Daneman, 2934 Capri Street, Memphis, Tennessee, 38118



MOTION: Robinson  
SECOND: Fullilove  
AYES: Brown, Colvett, Ford, Fullilove, Jones, Morgan, Robinson, Spinosa, Swearengen and Chairman Boyd  
Conrad, Hedgepeth and Morrison were absent

**APPROVED**

22. **RESOLUTION AMENDING THE FISCAL YEAR 2017 CAPITAL IMPROVEMENT BUDGET BY ACCEPTING ADDITIONAL GRANT FUNDS IN THE AMOUNT OF \$30,944.00 FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT). ESTABLISH AN ALLOCATION AND APPROPRIATION IN WALKER AVE STREETSCAPE PHASE – 2, PROJECT NUMBER PW04103 FOR CONSTRUCTION/RECONSTRUCTION OF SIDEWALKS, LIGHTING, LANDSCAPING ALONG WALKER AVE. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS DIVISION.**

MOTION: Morgan  
SECOND: Ford  
AYES: Brown, Ford, Fullilove, Jones, Morgan, Robinson, Spinosa, Swearengen and Chairman Boyd  
Colvett abstained  
Conrad, Hedgepeth and Morrison were absent

**APPROVED**

23. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS FOR ADA CURB RAMP GROUP 54 PROJECT IN THE AMOUNT OF \$823,849.00, PROJECT NUMBER PW17200, WHICH IS PART OF THE FY17 CAPITAL IMPROVEMENT BUDGET FUNDED BY G.O. BONDS GENERAL. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS DIVISION.**

**(Special Item #1 – Councilman Brown made a motion to Send this item back to Committee in (2) weeks and to be placed back on the Agenda).**

MOTION: Brown  
SECOND: Swearengen  
AYES: Brown, Colvett, Ford, Fullilove, Jones, Robinson, Spinosa, Swearengen and Chairman Boyd  
NAY: Morgan  
Conrad, Hedgepeth and Morrison were absent

**APPROVED**, (this item will be Sent back to Committee and Held until February 7, 2017)

24. **RESOLUTION TO TRANSFER AND APPROPRIATE CONSTRUCTION FUNDS FOR ADA CURB RAMP GROUP 53 PROJECT IN THE AMOUNT OF \$865,800.00 PROJECT NUMBER PW17201, WHICH IS PART OF THE FY17 CAPITAL IMPROVEMENT BUDGET FUNDED BY G.O. BONDS GENERAL. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS DIVISION.**

**(Special Item #2 – Councilman Jones made a motion to Send this item back to Committee and to be placed back on the Agenda in (2) weeks).**

MOTION: Jones  
SECOND: Brown  
AYES: Ford, Fullilove, Jones, Spinosa, Swearengen and Chairman Boyd  
NAY: Morgan  
Brown, Colvett and Robinson did not cast a vote  
Conrad, Hedgepeth and Morrison were absent

**APPROVED,** (this item will be Sent back to Committee and Held until February 7, 2017)

**(Special Item #3- Councilwoman Fullilove made a motion to approve Same Night Minutes for Item #25 from tonight's meeting.)**

MOTION: Fullilove  
SECOND: Ford  
AYES: Brown, Colvett, Ford, Fullilove, Morgan, Robinson, Spinosa, Swearengen and Chairman Boyd  
Jones did not cast a vote  
Conrad, Hedgepeth and Morrison were absent

**APPROVED**

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

**Chairman Boyd recognized the following people who spoke from the audience:**

Fergus Nolan, 758 N. McLean, Memphis, Tennessee, 38107  
Dennis Lynch, 347 N. McLean, Memphis, Tennessee, 38112  
Walter Broady, III, 4256 Ledbetter Cove, Memphis, Tennessee, 38109

**ADJOURNED MEETING AT 5:20 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

  
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CHAIRMAN

Attest:

Valerie C. Sripes  
Deputy Comptroller/Council Records